

9th. We need to address issues such as class size reduction, school modernization, bilingual education and migrant student needs before we give massive tax cuts to the wealthiest Americans.

I also want to share my grave concern about the "parental notification and consent" requirements contained in H.R.1. If enacted, these requirements will serve as a barrier to implementing bilingual education programs. According to this bill, schools will be required to "make reasonable and substantial efforts" to gain informed parental consent prior to placing children in an instructional program that is not taught primarily in English. This provision places an undue bureaucratic burden on local schools that will deter them from offering bilingual education classes.

These parental notification and consent measures have also been inserted into Title I—the section of the bill dedicated to assistance for low-income students. Schools that want to use some of their Title I funds for specialized services aimed at assisting limited English proficient children will be burdened with these requirements. No other group of students with special needs is singled out in this way. These provisions are a step back to the days when limited English proficient students were barred from Title I-funded education. These parental notification provisions are therefore inherently unfair and should be removed when this bill reaches the conference committee.

Mr. BOEHNER. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 1

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "No Child Left Behind Act of 2001".

SEC. 2. REFERENCES.

Except as otherwise specifically provided in this Act, whenever in this Act an amendment or repeal is expressed as the amendment or repeal of a section or other provision, the reference shall be considered to be made to a section or other provision of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

SEC. 3. TRANSITION.

Except as otherwise specifically provided in this Act, or any amendment made by this Act, any person or agency that was awarded a grant under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) prior to the date of the enactment of this Act shall continue to receive funds in accordance with the terms of such award, except that such funds may not be provided after the date that is one year after the effective date of this Act.

SEC. 4. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. References.
- Sec. 3. Transition.
- Sec. 4. Table of contents.
- Sec. 5. Effective date.

TITLE I—IMPROVING THE ACADEMIC PERFORMANCE OF THE DISADVANTAGED

PART A—BASIC PROGRAM

- Sec. 101. Disadvantaged children meet high academic standards.
- Sec. 102. Authorization of appropriations.
- Sec. 103. Reservation for school improvement.
- Sec. 104. Basic programs.
- Sec. 105. School choice.
- Sec. 106. Academic assessment and local educational agency and school improvement.
- Sec. 107. State assistance for school support and improvement.
- Sec. 108. Academic achievement awards program.

PART B—STUDENT READING SKILLS IMPROVEMENT GRANTS

- Sec. 111. Reading first; early reading first.
- Sec. 112. Amendments to Even Start.
- Sec. 113. Inexpensive book distribution program.

PART C—EDUCATION OF MIGRATORY CHILDREN

- Sec. 121. State allocations.
- Sec. 122. State applications; services.
- Sec. 123. Authorized activities.
- Sec. 124. Coordination of migrant education activities.

PART D—NEGLECTED OR DELINQUENT YOUTH

- Sec. 131. Neglected or delinquent youth.
- Sec. 132. Findings.
- Sec. 133. Allocation of funds.
- Sec. 134. State plan and State agency applications.

- Sec. 135. Use of funds.
- Sec. 136. Transition services.
- Sec. 137. Purpose.
- Sec. 138. Programs operated by local educational agencies.

- Sec. 139. Local educational agency applications.

- Sec. 140. Uses of funds.
- Sec. 141. Program requirements.
- Sec. 142. Program evaluations.

PART E—FEDERAL EVALUATIONS AND DEMONSTRATIONS

- Sec. 151. Evaluations.
- Sec. 152. Demonstrations of innovative practices.
- Sec. 153. Ellender-close up fellowship program; dropout reporting.

PART F—COMPREHENSIVE SCHOOL REFORM

- Sec. 161. School reform.

PART G—RURAL EDUCATION FLEXIBILITY AND ASSISTANCE

- Sec. 171. Rural education.

PART H—GENERAL PROVISIONS OF TITLE I

- Sec. 181. General provisions.

TITLE II—PREPARING, TRAINING, AND RECRUITING QUALITY TEACHERS

- Sec. 201. Teacher quality training and recruiting fund.
- Sec. 202. National writing project.
- Sec. 203. Civic education; teacher liability protection.

TITLE III—EDUCATION OF LIMITED ENGLISH PROFICIENT AND IMMIGRANT CHILDREN; INDIAN AND ALASKA NATIVE EDUCATION

PART A—EDUCATION OF LIMITED ENGLISH PROFICIENT AND IMMIGRANT CHILDREN

- Sec. 301. Programs authorized.
- Sec. 302. Conforming amendment to Department of Education Organization Act.

PART B—INDIAN AND ALASKA NATIVE EDUCATION

- Sec. 311. Elementary and Secondary Education Act of 1965.
- Sec. 312. Alaska Native education.
- Sec. 313. Amendments to the education amendments of 1978.
- Sec. 314. Tribally Controlled Schools Act of 1988.

TITLE IV—PROMOTING INFORMED PARENTAL CHOICE AND INNOVATIVE PROGRAMS

PART A—INNOVATIVE PROGRAMS

- Sec. 401. Promoting informed parental choice and innovative programs.
- Sec. 402. Continuation of awards.

PART B—PUBLIC CHARTER SCHOOLS

- Sec. 411. Public charter schools.
- Sec. 412. Continuation of awards.

PART C—MAGNET SCHOOLS ASSISTANCE; WOMEN'S EDUCATIONAL EQUITY

- Sec. 421. Magnet schools assistance.
- Sec. 422. Women's educational equity.
- Sec. 423. Continuation of awards.

TITLE V—21ST CENTURY SCHOOLS

- Sec. 501. Safe schools.

TITLE VI—IMPACT AID PROGRAM

- Sec. 601. Payments under section 8002 with respect to fiscal years in which insufficient funds are appropriated.
- Sec. 602. Calculation of payment under section 8003 for small local educational agencies.
- Sec. 603. Construction.
- Sec. 604. State consideration of payments in providing State aid.
- Sec. 605. Authorization of appropriations.
- Sec. 606. Redesignation of program.

TITLE VII—ACCOUNTABILITY

- Sec. 701. Flexibility and accountability.

TITLE VIII—GENERAL PROVISIONS

- Sec. 801. General provisions.
- Sec. 802. Comprehensive regional assistance centers.
- Sec. 803. National diffusion network.
- Sec. 804. Eisenhower regional mathematics and science education consortia.
- Sec. 805. Technology-based technical assistance.
- Sec. 806. Regional technical support and professional development.

TITLE IX—MISCELLANEOUS PROVISIONS

PART A—AMENDMENTS TO OTHER ACTS

- SUBPART 1—NATIONAL EDUCATION STATISTICS ACT
- Sec. 901. Amendment to NESA.

SUBPART 2—HOMELESS EDUCATION

- Sec. 911. Short title.
- Sec. 912. Findings.
- Sec. 913. Purpose.
- Sec. 914. Education for homeless children and youth.
- Sec. 915. Technical amendment.

PART B—REPEALS

- Sec. 921. Repeals.

SEC. 5. EFFECTIVE DATE.

Except as otherwise specifically provided in this Act, this Act, and the amendments made by this Act, shall take effect on October 1, 2001, or on the date of the enactment of this Act, whichever occurs later.

TITLE I—IMPROVING THE ACADEMIC PERFORMANCE OF THE DISADVANTAGED

PART A—BASIC PROGRAM

SEC. 101. DISADVANTAGED CHILDREN MEET HIGH ACADEMIC STANDARDS.

Section 1001 is amended to read as follows:

"SEC. 1001. FINDINGS; STATEMENT OF PURPOSE; AND RECOGNITION OF NEED.

"(a) FINDINGS.—Congress finds the following:

"(1) The Constitution of the United States reserves to the States and to the people the responsibility for the general supervision of public education in kindergarten through the twelfth grade.

"(2) States, local educational agencies and schools should be given maximum flexibility in exchange for greater academic accountability, and be given greater freedom to build upon existing innovative approaches for education reform.